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In re

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7	Catherine V. LoTempio, Esq. Laura E. Miller, Esq.
8	Andrew J. Matott, Esq. (pro hac vice applications granted)
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13	Counsel for Official Committee
14	of Unsecured Creditors
15	UNITED STAT

# UNITED STATES BANKRUPTCY COURT

## DISTRICT OF NEVADA

Case No.: 23-10423-mkn

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24,

#### TO THE HONORABLE MIKE K. NAKAGAWA AND ALL PARTIES IN INTEREST:

On September 28, 2023, FTI Consulting, Inc. ("<u>FTI</u>"), financial advisor for the Official Committee of Unsecured Creditors (the "<u>Committee</u>") filed and served its *Initial Interim Monthly Fee Statement of FTI Consulting, Inc. for Allowance and Payment of Compensation and* 

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Reimbursement of Expenses for The Period of February 24, 2023, Through March 31, 2023 ("Initial
Fee Statement") [ECF No. 1313]; Monthly Fee Statement of FTI Consulting, Inc. for Allowance and
Payment of Compensation and Reimbursement of Expenses for The Period of April 1, 2023, Through
April 30, 2023 ("Second Fee Statement") [ECF No. 1314]; Monthly Fee Statement of FTI
Consulting, Inc. for Allowance and Payment of Compensation and Reimbursement of Expenses for
The Period of May 1, 2023, Through May 31, 2023 ("Third Fee Statement") [ECF No. 1315];
Monthly Fee Statement of FTI Consulting, Inc. for Allowance and Payment of Compensation and
Reimbursement of Expenses for The Period of June 1, 2023, Through June 30, 2023 ("Fourth Fee
Statement") [ECF No. 1316]; and Monthly Fee Statement of FTI Consulting, Inc. for Allowance and
Payment of Compensation and Reimbursement of Expenses for The Period of July 1, 2023, Through
July 31, 2023 ("Fifth Fee Statement") [ECF No. 1317] for allowance and payment of compensation
for professional services rendered and for reimbursement of actual and necessary expenses incurred
between February 24, 2023, through July 31, 2023 ("Fee Period").

FTI requested allowance and payment of \$414,338.00 (representing 80% of the \$517,985.00 in fees incurred) as compensation for professional services rendered to the Committee during the Fee Period and allowance and payment of \$1,473.44 (representing 100% of expenses incurred) as reimbursement for actual and necessary expenses incurred by FTI the Fee Period for a total payment and reimbursement of \$415,861.44.

In accordance with the Order Granting Debtor's Motion Pursuant to 11 U.S.C. §§ 105(a) and 331, and Fed. R. Bankr. P. 2016, Authorizing and Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [ECF No. 321] (the "Interim Compensation Procedures Order"), the Notice Parties, as defined therein, have 20 days after service of a monthly fee statement to object. Here, the deadline to object to FTI's Initial through Fifth Fee Statements was October 18, 2023 (the "Objection Deadline").

The undersigned certifies that no party filed an answer, objection, or other responsive pleading in connection with FTI's Initial through Fifth Fee Statements on or before the Objection Deadline.

Pursuant to the Interim Compensation Procedures Order and the Order Granting Application

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for Order Pursuant to 11 U.S.C. §§ 1103 Authorizing and Approving the Employment of FTI
Consulting, Inc. as Financial Advisor to the Official Committee of Unsecured Creditors Retroactive
to February 24, 2023 [ECF No. 481], the Debtor is authorized to pay FTI 80% of the fees
(\$414,388.00) and 100% of the expenses (\$1,473.44), for a total payment and reimbursement of
\$415,861.44, as requested in FTI's Initial through Fifth Fee Statements upon the filing of this
certification of no objection and without the need for entry of an order by the Court approving the
Fourth Fee Statement.

Dated this 26th day of October 2023.

### FTI CONSULTING, INC.

By: /s/ Michael Tucker Michael Tucker 4835 East Cactus Road, Suite 230 Scottsdale, AZ 85254 michael.tucker@fticonsulting.com

Prepared and respectfully submitted by:

#### McDONALD CARANO LLP

By: /s/ Ryan J. Works Ryan J. Works, Esq. (NSBN 9224) Amanda M. Perach, Esq. (NSBN 12399) 2300 West Sahara Avenue, Suite 1200 Las Vegas, Nevada 89102 rworks@mcdonaldcarano.com aperach@mcdonaldcarano.com

Counsel for Official Committee of Unsecured Creditors